

# Senate Study Bill 1076 - Introduced

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED ATTORNEY GENERAL  
BILL)

## A BILL FOR

1 An Act relating to mobile and manufactured home tenancy by  
2 providing for minimum duration of rental agreements,  
3 providing for termination or nonrenewal of rental  
4 agreements, and modifying notice of unpaid rent and related  
5 forcible entry and detainer provisions.  
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 562B.10, subsection 4, Code 2013, is  
2 amended to read as follows:

3 4. Rental agreements shall be for a term of at least one  
4 ~~year unless otherwise specified in the rental agreement.~~  
5 Rental agreements shall be ~~canceled~~ terminated by at least  
6 sixty days' written notice given by ~~either party~~ a tenant  
7 unless the tenant is terminating the rental agreement pursuant  
8 to a section of this chapter which allows for a shorter notice  
9 period. ~~A landlord shall not cancel a rental agreement solely~~  
10 ~~for the purpose of making the tenant's mobile home space~~  
11 ~~available for another mobile home.~~ Rental agreements shall be  
12 terminated by a landlord, or not renewed by a landlord, in a  
13 time and manner which complies with this chapter.

14 Sec. 2. Section 562B.10, Code 2013, is amended by adding the  
15 following new subsection:

16 NEW SUBSECTION. 4A. a. A landlord may terminate a tenancy  
17 during the initial twelve months of the tenancy if the tenant  
18 engages in any of the following:

19 (1) A material noncompliance with the rental agreement.

20 (2) A material violation of the manufactured mobile home  
21 community or mobile home park rules or regulations.

22 (3) Any other violation of this chapter for which  
23 termination is a remedy.

24 b. A landlord may only terminate a tenancy after the initial  
25 twelve months, or may only fail to renew a tenancy, for any of  
26 the following reasons:

27 (1) A legitimate and material business reason the impact of  
28 which is not specific to one tenant.

29 (2) A change in the use of the land if a change in the use  
30 of the land is included in the rental agreement as grounds for  
31 termination or nonrenewal.

32 (3) Any of the reasons included in paragraph "a".

33 c. A landlord may terminate or not renew a tenancy pursuant  
34 to paragraph "b", subparagraphs (1) and (2), by a written notice  
35 given to the tenant at least sixty days prior to the periodic

1 rental date specified in the notice. The notice shall specify  
2 all facts which give rise to the notice of termination or  
3 failure to renew.

4 Sec. 3. Section 562B.25, subsection 2, Code 2013, is amended  
5 to read as follows:

6 2. If rent is unpaid when due and the tenant fails to pay  
7 rent within ~~three~~ fourteen days after written notice by the  
8 landlord of nonpayment and of the landlord's intention to  
9 terminate the rental agreement if the rent is not paid within  
10 that period of time, the landlord may terminate the rental  
11 agreement.

12 Sec. 4. Section 648.3, subsection 1, Code 2013, is amended  
13 to read as follows:

14 1. Before action can be brought under any ground specified  
15 in section 648.1, except subsection 1, three days' notice to  
16 quit must be given to the defendant in writing. However, a  
17 landlord who has given a tenant three days' notice to pay  
18 rent and has terminated the tenancy as provided in section  
19 562A.27, subsection 2, or has given a tenant fourteen days'  
20 notice to pay rent and has terminated the tenancy as provided  
21 in section 562B.25, subsection 2, if the tenant is renting the  
22 ~~manufactured or mobile home or the land from the landlord,~~ may  
23 commence the action without giving a three-day notice to quit.

24 EXPLANATION

25 This bill makes changes relating to tenancy in mobile home  
26 parks and manufactured home communities.

27 The bill amends Code section 562B.10 to provide that the  
28 term of a rental agreement shall be for at least one year  
29 regardless of whether the rental agreement specifies otherwise.  
30 The bill eliminates the right of the landlord to terminate an  
31 agreement, without a reason, at the end of the term of the  
32 rental agreement upon 60 days' written notice to the tenant.

33 The bill further amends Code section 562B.10 to provide that  
34 a landlord may terminate a tenancy during the initial 12 months  
35 of the tenancy if the tenant acts in material noncompliance

1 of the rental agreement, commits a material violation of the  
2 manufactured mobile home community or mobile home park rules  
3 or regulations, or commits any other violation of Code chapter  
4 562B which allows the remedy of termination.

5 The bill provides that a landlord may terminate a tenancy  
6 after the initial 12 months or may fail to renew a tenancy for  
7 a legitimate and material business reason the impact of which  
8 is not specific to one tenant, a change in the use of the land  
9 if a change in the use of the land is included in the rental  
10 agreement as grounds for termination or nonrenewal, or any  
11 reason for termination allowed in the initial 12 months of the  
12 tenancy.

13 The bill provides that if a landlord terminates or fails to  
14 renew a tenancy for a legitimate and material business reason  
15 or a change in the use of the land as allowed in the bill, the  
16 landlord shall terminate or fail to renew by a written notice  
17 given to the tenant at least 60 days prior to the periodic  
18 rental date specified in the notice. The notice must specify  
19 all facts which give rise to the notice of termination or  
20 failure to renew.

21 The bill amends Code section 562B.25 to increase the number  
22 of days from three to 14 in which a tenant has to pay the  
23 unpaid rent after written notice is provided to the tenant of  
24 nonpayment of the rent.

25 The bill amends Code section 648.3 to provide that a  
26 landlord can commence a forcible entry and detainer action  
27 without giving a three-day notice to quit when the landlord has  
28 given 14 days' notice to pay rent as provided in Code section  
29 562B.25.